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Attorneys for Plaintiffs

SUSAN K. MYERS, MICHAEL F. MYERS

and KEITH J. GOTT

**UNITED STATES DISTRICT COURT**

**FOR THE DISTRICT OF NEVADA**

SUSAN K. MYERS, individually and as trustee of the Susan K. Myers Living Trust dated January 8, 2001, MICHAEL F. MYERS, individually and as trustee of the Susan Myers Massachusetts Trust, dated July 11, 2008, and KEITH J. GOTT, as trustee of the Michael F. Myers Massachusetts Trust, dated October 23, 2008, and the Michael F. Myers Massachusetts Trust, dated December 3, 2008,

Plaintiffs,

v.

JAMES ARCHIBALD and PORT CAPITAL MANAGEMENT LLC, a limited liability company,

Defendants.

**Case No: 3:10-cv-258-RCJ-WGC**

**STIPULATION FOR DISMISSAL OF ACTION WITH PREJUDICE**

1 IT IS HEREBY STIPULATED AND AGREED, by and between plaintiffs Susan K.  
2 Myers, Michael F. Myers, and Keith J. Gott and defendants James Archibald and Port Capital  
3 Management LLC, through undersigned counsel, that this action is DISMISSED WITH  
4 PREJUDICE.

5 DATED: December 28, 2011

KASOWITZ, BENSON, TORRES & FRIEDMAN LLP

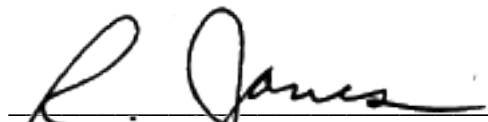
6  
7 By: /s/ Charles N. Freiberg  
Charles N. Freiberg (Admitted *Pro Hac Vice*)  
101 California Street, Suite 2300  
8 San Francisco, CA 94111  
9 Attorneys for Plaintiffs  
Susan K. Myers, Michael F. Myers, and Keith J. Gott

10 DATED: December 28, 2011

BOWDITCH & DEWEY LLP

11  
12 By: /s/ Louis M. Ciavarra  
Louis M. Ciavarra (Admitted *Pro Hac Vice*)  
13 311 Main Street  
14 Worcester, MA 01608  
15 Attorneys for Defendants  
16 James Archibald and Port Capital Management LLC

17  
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19 IT IS SO ORDERED.

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21   
22 ROBERT C. JONES  
23 Dated: This 29th day of December, 2011.  
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